

In the United States District Court
for the Northern District of California

Isaiah Noel Williams
Plaintiff,

v

Civil Action no. C 07-04464 CW (PR)

D. Williams, in her
individual capacity
Defendant

DECLARATION FOR ENTRY OF DEFAULT

Isaiah Williams hereby declares:

I am the plaintiff herein. The complaint herein was filed on the 16th of August, 2007.

The court files and record herein show that the Defendant was served by the Plaintiff via certified mail with a copy of summons, and a copy of the plaintiff's complaint on the 20th of November, 2007.

More than 20 days have elapsed since the date on which the Defendant herein was served with summons and a copy of Plaintiff's complaint, excluding the date thereof; in fact, 75 days have thus far elapsed.

The Defendant has failed to answer or otherwise defend as to Plaintiff's complaint, or serve a copy of any answer or any defense which it might have had, upon affiant.

The Defendant is not in the military service and is not an infant or incompetent.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Crescent City, California on 2 February, 2008.

Signed: Isaiah Noel Williams K-33769

Signature *IX*

Date: February 2, 2008

FILED
~~RECEIVED~~
FEB 29 PM 12:40
RICHARD W. WIERING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PROOF OF SERVICE BY MAIL

(C.C.P. section 101a #2015.5; 20 U.S.C. section 1746)

I, Isiah Williams K-33769, am a resident of Pelican Bay State Prison, in the County of Del Norte, State of California. I am over eighteen (18) years of age and am a party to the below entitled action.

My Address is: P.O. Box 7500; Crescent City, CA 95531.

On the 25 day of February, in the year of 2008, I served the following documents: (set forth the exact title of documents served)

Declaration for Entry of Default

on the party(s) listed below by placing a true copy(s) of said document, enclosed in a sealed envelope(s) with postage thereon fully paid, in the United states mail, in a deposit box so provided at Pelican Bay State Prison, Crescent City, CA 95531 and addressed as follows:

D. Williams

Correctional Officer/PPSP

5905 Lake Earl Drive

Crescent City, CA. 95531

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 25 day of February, 2008.

Signed: Isiah

(Declarant Signature)

United States District Court for the Northern District of California,
Clerk of the Court,

Re: Civil Case No. C 07-04464 CW (PR)

It has recently come to my attention that, according to court rules, when I filed my 'Declaration for Entry of Default' I was suppose to serve the defendant as well (even though she has failed to respond to my complaint and summons). So as not to have my motion dismissed on those grounds, I am resubmitting a copy of the above-mentioned motion (originally filed February 2, 2008) for the court to consider, and I am serving the defendant with a copy via certified mail. I am enclosing the 'Proof of Service' and I ask the court for a stamped copy.

I thank the court for its time and understanding.

Sincerely,

Isaiah Williams K-33769

Plaintiff

Signature: 

Date: February 25, 2008